



Punjab Government Gazette

EXTRAORDINARY

Published by Authority

CHANDIGARH, TUESDAY, MARCH 22, 2016
(CHAITRA 2, 1938 SAKA)

PUNJAB VIDHAN SABHA SECRETARIAT

NOTIFICATION

The 21st March, 2016

No. 14-PLA-2016/229.-The Punjab Appropriation (No. 2) Bill, 2016 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No. 14-PLA-2016

THE PUNJAB APPROPRIATION (NO. 2) BILL, 2016

A

BILL

to authorize the payment and appropriation of certain sums from and out of the Consolidated Fund of the State of Punjab, for the services and purposes of the financial year ending on the thirty-first day of March, 2017.

BE it enacted by the Legislature of the State of Punjab in the Sixty-seventh Year of the Republic of India as follows:-

1. This Act may be called the Punjab Appropriation (No. 2) Act, 2016. *Short title.*

*Issue of
Rs.
8,63,86,96,20,000/-
out of the
Consolidated Fund
of the State of
Punjab for the
financial year,
2016-17.*

2. From and out of the Consolidated Fund of the State of Punjab, there may be paid and applied sums, not exceeding those, specified in column 5 of the Schedule, appended to this Act, amounting, in the aggregate to a sum of Rs. 8,63,86,96,20,000/- (Eighty Six Thousand Three Hundred Eighty Six Crore Ninety Six Lacs and Twenty Thounsand only) towards defraying several charges, which will come in the course of payment to be made during the financial year, 2016-2017, in respect of the services and purposes, specified in column 2 of the said Schedule.

Appropriation.

3. The sums, authorized to be paid and applied from and out of the Consolidated Fund of the State of Punjab by this Act, shall be appropriated for the services and purposes, specified in the said Schedule, in relation to the Financial Year ending on the thirty-first day of March, 2017.

*Overriding effect of
the Act.*

4. Notwithstanding anything contained in any other Act for the time being in force, the provisions of this Act shall prevail.

SCHEDULE

No.	Demand Services and purposes	Sums not exceeding			Total
		Grant made by the Legislative Assembly	Charged on the Consolidated Fund		
1	2	3	4	5	
		Rs.	Rs.	Rs.	
1	Agriculture and Forests	Revenue	63,72,45,37,000	13,45,000	63,72,58,82,000
		Capital	10,41,71,000	0	10,41,71,000
2	Animal Husbandry and Fisheries	Revenue	4,93,04,30,000	1,00,000	4,93,05,30,000
		Capital	40,93,50,000	0	40,93,50,000
3	Co-operation	Revenue	88,12,23,000	1,50,000	88,13,73,000
		Capital	3,50,01,01,000	0	3,50,01,01,000
4	Defence Services Welfare	Revenue	39,51,05,000	10,000	39,51,15,000
		Capital	15,01,00,000	0	15,01,00,000
5	Education	Revenue	95,19,11,69,000	26,64,16,000	95,45,75,85,000
		Capital	2,32,89,07,000	0	2,32,89,07,000
6	Election	Revenue	1,64,39,55,000	65,01,000	1,65,04,56,000
		Capital	0	0	0
7	Excise and Taxation	Revenue	2,71,05,64,000	14,50,000	2,71,20,14,000
		Capital	0	0	0
8	Finance	Revenue	78,98,91,08,000	1,07,87,93,60,000	1,86,86,84,68,000
		Capital	49,70,10,000	2,30,19,45,66,000	2,30,69,15,76,000
9	Food and Supplies	Revenue	8,67,84,66,000	3,55,000	8,67,88,21,000
		Capital	4,60,000	0	4,60,000
10	General Administration	Revenue	2,52,11,24,000	8,47,08,000	2,60,58,32,000
		Capital	54,76,00,000	0	54,76,00,000
11	Health and Family Welfare	Revenue	33,20,15,51,000	27,07,000	33,20,42,58,000
		Capital	4,99,74,000	0	4,99,74,000
12	Home Affairs and Justice	Revenue	59,12,02,22,000	1,32,24,24,000	60,44,26,46,000
		Capital	2,45,35,21,000	0	2,45,35,21,000
13	Industries	Revenue	2,10,36,78,000	0	2,10,36,78,000
		Capital	13,00,75,000	0	13,00,75,000
14	Information and Public Relation	Revenue	1,79,04,00,000	0	1,79,04,00,000
		Capital	2,00,00,000	0	2,00,00,000
15	Irrigation and Power	Revenue	20,60,52,77,000	0	20,60,52,77,000
		Capital	13,04,85,38,000	0	13,04,85,38,000

			Rs.	Rs.	Rs.
16	Labour and Employment	Revenue	54,94,25,000	0	54,94,25,000
		Capital	1,00,000	0	1,00,000
17	Local Government, Housing and Urban Development	Revenue	17,32,66,70,000	0	17,32,66,70,000
		Capital	5,35,51,56,000	0	5,35,51,56,000
18	Personnal and Administrative Reforms	Revenue	9,21,16,000	7,16,72,000	16,37,88,000
		Capital	54,00,000	0	54,00,000
19	Planning	Revenue	66,94,41,000	0	66,94,41,000
		Capital	1,25,51,10,000	0	1,25,51,10,000
20	Programme Implementation	Revenue	10,00,000	0	10,00,000
		Capital	0	0	0
21	Public Works	Revenue	9,27,52,50,000	26,00,000	9,27,78,50,000
		Capital	16,30,56,00,000	0	16,30,56,00,000
22	Revenue and Rehabilitation	Revenue	11,42,59,46,000	29,75,000	11,42,89,21,000
		Capital	0	0	0
23	Rural Development and Panchayats	Revenue	14,28,30,64,000	0	14,28,30,64,000
		Capital	1,40,76,00,000	0	1,40,76,00,000
24	Science, Technology and Environment	Revenue	12,97,60,000	0	12,97,60,000
		Capital	5,77,40,000	0	5,77,40,000
25	Social and Women's Welfare and Welfare of Scheduled Caste and Backward Classes	Revenue	30,99,07,18,000	16,10,000	30,99,23,28,000
		Capital	1,93,11,06,000	0	1,93,11,06,000
26	State Legislature	Revenue	37,27,70,000	1,03,05,000	38,30,75,000
		Capital	0	0	0
27	Technical Education and Industrial Training	Revenue	3,92,88,63,000	50,000	3,92,89,13,000
		Capital	49,07,00,000	0	49,07,00,000
28	Tourism and Cultural Affairs	Revenue	68,28,69,000	20,000	68,28,89,000
		Capital	1,96,75,69,000	0	1,96,75,69,000
29	Transport	Revenue	5,31,64,92,000	0	5,31,64,92,000
		Capital	2,12,50,000	0	2,12,50,000
30	Vigilance	Revenue	44,88,37,000	31,28,000	45,19,65,000
		Capital	0	0	0
Total :		Revenue	4,71,98,00,30,000	1,09,65,78,86,000	5,81,63,79,16,000
Grand Total :		Capital	52,03,71,38,000	2,30,19,45,66,000	2,82,23,17,04,000
			5,24,01,71,68,000	3,39,85,24,52,000	8,63,86,96,20,000

STATEMENT OF OBJECTS AND REASONS

The Bill is introduced in pursuance of clause (1) of Article 204 of the Constitution of India, read with Article 206 thereof, to provide for the appropriation from and out of the Consolidated Fund of the State of all money required to meet the expenditure charged on the Consolidated Fund and the grants made in advance by the Legislative Assembly in respect of the estimated expenditure of the State Government, for the financial year 2016-2017.

PARMINDER SINGH DHINDSA,
Finance Minister, Punjab.

CHANDIGARH:
The 21st March, 2016

SHASHI LAKHANPAL MISHRA
SECRETARY.



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PUNJAB VIDHAN SABHA SECRETARIAT

NOTIFICATION

The 21st March, 2016

No. 17-PLA-2016/230:-The Punjab Bovine Breeding Bill, 2016 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No.17-PLA-2016

THE PUNJAB BOVINE BREEDING BILL, 2016

A BILL

to provide for improvement of bovines by regulating bovine breeding activities including use of bovine breeding bulls for production of bovine semen, processing, storage, sale and distribution of bovine semen, and artificial insemination and any other breeding activity in bovines in the State of Punjab and for the matters connected therewith or incidental thereto.

BE it enacted by the Legislature of the State of Punjab in Sixty- seventh Year of Republic of India as follows:-

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Punjab Bovine Breeding Act, 2016.

Short title and commencement.

(2) It shall come into force on such date as may be specified by the Government through a notification in the Official Gazette.

Definitions.

2. In this Act, unless the context otherwise requires, -

- (a) "Artificial Insemination" or "A.I." means the technique used for depositing bovine semen into the mature female reproductive tract by artificial means;
- (b) "Authority" means the Bovine Breeding Authority constituted under section 3;
- (c) "Authorised inseminator" means a veterinarian or Veterinary Inspector or Veterinary Pharmacist (by whatever name called) or trained AI worker to be certified by the Authority in such manner, as may be prescribed;
- (d) "bovine" means a cow, cow-bull, cow-heifer, buffalo, buffalo-bull and buffalo heifer;
- (e) "bovine breeder" means any person or organization or firm or agency engaged in bovine breeding activity;
- (f) "bovine breeding" means breeding activities in bovines that include the use of bovine bulls, semen or embryos;
- (g) "Breeding Policy" means the Livestock Breeding Policy, duly notified by the Government to promote breeding and development of livestock, especially of bovines in the State;
- (h) "Certified Bull" means a bovine bull certified by the Authority, which is kept for semen production for a particular bovine breed and meets the standards, as may be prescribed;
- (i) "Chairperson" means the Chairperson of the Authority;
- (J) "embryo" means a structure developed as a result of fusion of bovine male and female gametes;
- (k) "expert" means an expert who fulfils the requirements, as may be specified by the Authority;
- (l) "Government" means the Government of the State of Punjab in the Department of Animal Husbandry, Fisheries and Dairy Development;
- (m) "Misbranded Semen" means a semen whose DNA profile does not match with DNA profile of the bull, mentioned in the record of semen bank or semen straw;

- (n) "pedigree" means genealogical information showing the ancestral line of the bull /dam;
- (o) "premises" means any place, land, yard, building or any other site that is used for semen production, storage, transport, distribution, trade or utilization;
- (p) "prescribed" means prescribed by rules made under this Act;
- (q) "Recognised Laboratory" means the Northern Regional Disease Diagnostic Laboratory, Jalandhar or any other national level laboratory, duly authorized by the Authority;
- (r) "Registrar" means the Registrar of the Authority;
- (s) "semen" means the semen/sexed semen of cow bull or buffalo bull in any form;
- (t) "semen bank" means a premises where the bovine semen is stored for trading or distribution;
- (u) "Semen station" means a premises, where a facility is set up for production, processing and storage of bovine semen;
- (v) "services" means any of the bovine breeding services, as may be specified by the Government;
- (w) "sub-standard semen" means semen or semen straws that do not meet the standards, as may be prescribed; and
- (x) "veterinarian" means a registered veterinary practitioner as defined in the Indian Veterinary Council Act, 1984 (Central Act No. 52 of 1984).

CHAPTER II

BOVINE BREEDING AUTHORITY

3. (1) The Government shall, by notification in the Official Gazette, Constitution of constitute an Authority to be known as the Bovine Breeding Authority. the Authority.
 - (2) The Authority shall consist of the following:-
 - (a) Director, Animal Husbandry, Punjab; : Chairperson
 - (b) Director, Indian Veterinary Research Institute, Izzatnagar or its representative (not below the rank of Principal Scientist); : Member

- (c) Joint Commissioner, Animal Husbandry, Department of Animal Husbandry, Dairying, and Fisheries, Ministry of Agriculture and Farmer's Welfare, Government of India; : Member
- (d) Director Research, Guru Angad Dev Veterinary and Animal Sciences University, Ludhiana; : Member
- (e) Eminent veterinarian to be nominated by the Government; : Member
- (f) Eminent bovine breeder to be nominated by the Government; : Member
- (g) Joint Director, Animal Husbandry, Punjab. : Registrar

(3) The affairs of the Authority shall be managed and administered by the Registrar.

(4) The Authority shall draw-up a consultative panel of experts consisting of not more than nine members. Out of the panel of experts, the Authority shall form Committee(s) of not more than three members which shall perform such functions, as may be required by the Authority. The members of such Committee(s) shall be entitled for such honorarium, travelling allowance and daily allowance, as may be prescribed.

Headquarter of the Authority.

4. The Headquarter of the Authority shall be at the office of the Director Animal Husbandry, Punjab.

Meetings of the Authority.

5. (1) The Authority shall meet at such time and place as the Registrar may determine in consultation with the Chairperson and shall observe such procedure with regard to the transaction of its business at such meetings, as may be prescribed.

(2) The quorum necessary for the transaction of business at a meeting shall be four members.

Functions of the Authority.

6. As provided in this Act and the rules made thereunder, functions of the Authority shall be as under:-

- (a) to formulate and implement the Breeding Policy and services in the State of Punjab.
- (b) to regulate the storage, sale and use of semen or embryos produced within or outside the State of Punjab or imported from any other country.

- (c) to certify bovine bulls, which meet the standards, as may be prescribed.
- (d) to register semen stations in the State of Punjab as per the provisions laid down in Chapter III of this Act.
- (e) to register semen banks in the State of Punjab.
- (f) to certify the trained AI workers for operating bovine breeding activities in the State of Punjab through appropriate Standard Operative Procedures to be laid down by the Authority.
- (g) to perform such other functions concerning bovine breeding, as may be prescribed.

7. The Authority shall discharge its duties through the staff of Animal Husbandry Department, Punjab. It may also outsource or get on deputation such number of officers and experts with veterinary qualifications and experience, as may be prescribed, as it may consider necessary for the efficient discharge of its functions.

Experts and other personnel of the Authority.

8. (1) Subject to the provisions of this Act and the rules made thereunder, the Authority shall have jurisdiction all over the State of Punjab in respect of bovine breeding activities.

Jurisdiction and Powers of the Authority.

(2) For the discharge of the functions conferred on the Authority under this Act, the Authority or any officer empowered by it in this behalf, shall have the power to obtain any required information from any semen station or related person engaged in bovine breeding activities.

(3) The Authority shall have the power to give directions requiring any person in-charge of any premises, where any activity relating to bovine breeding is carried out or who in its opinion is contravening any of the provisions of this Act or the rules made thereunder, to furnish such information and in such form, as may be specified by it.

CHAPTER III

REGISTRATION OF SEMEN STATIONS AND SEMEN BANKS AND CERTIFICATION OF BULLS AND TRAINED A.I. WORKERS

9. (1) On and from the date of commencement of this Act, no person (including any Firm, Limited Liability Partnership (LLP), Company, Producer Company, Institution, NGO, Breeders' Association, Trust, Department of

Registration of semen stations.

Central/State Government, Co-operative Society or any other agency), shall establish and operate a semen station for production and storage of semen doses for artificial insemination or production and transfer of embryos without obtaining a certificate of registration from the Authority.

(2) Any person who desires to establish and operate a new semen station, shall make an application for registration or renewal in such form alongwith such fee, as may be prescribed.

(3) The existing semen stations shall apply to the Authority for grant of certificate of registration in such form alongwith such fee, as may be prescribed, within three months from the date of commencement of this Act. They shall also declare the current stock of semen alongwith such other details as may be required in the form.

(4) Applicants intending to set-up a new semen station or the existing semen stations, who have submitted an application form alongwith prescribed fee to the Authority, shall be issued a provisional certificate of registration to meet the conditions specified in sub-section (6) of this section. The provisional certificate of registration shall be valid for a period of twelve months. It may be extended for a further period of six months on the request of the applicant, in writing. The Authority shall reply within one month about the status of extension.

(5) For the grant of certificate of registration for a new semen station or the existing semen station, the applicant shall make a written request to the Authority for inspection within the above twelve months or the extended period of six months, whichever applicable. The Authority shall thereupon, send a committee of experts from the consultative panel for such inspection.

(6) The Authority, after satisfying itself that,-

(A) the semen station,-

- (i) has premises for the quarantine of bovine bulls, as may be prescribed by the Authority or the Government of India;
- (ii) has premises for the rearing and housing of bulls and the collection, processing, quality control, storage, distribution and quarantine of semen doses as may be prescribed by the Authority or the Government of India; and
- (iii) has premises for the storage of semen doses as may be prescribed by the Authority or the Government of India;

(B) every bull, used in the semen station for production of semen doses,-

- (i) has tested negative to the tests as may be prescribed by the Authority or the Government of India:
 - (a) prior to its entry to a quarantine station;
 - (b) during quarantine period at a quarantine station;
 - (c) during rearing at a rearing station; and
 - (d) at the semen station;
- (ii) conforms to breed characteristics of the permitted breeds only as may be specified in the breeding policy and meets the minimum standards for various traits in terms of quantity and quality as may be specified by the Authority or the Government of India and as modified and notified from time to time;

(C) the semen station maintains accurate details of the bull, whose semen doses it would like to produce, store, sell, distribute or proposes to distribute for Artificial Insemination in a format, as may be prescribed;

shall grant the certificate of registration to a new semen station or the existing semen station clearly specifying the name and address of the semen station, registration number of the semen station, unique Identification No. of certified bulls to be used for semen production, name of the In-charge of the semen station and such terms and conditions, as it may deem fit.

(7) The certificate of registration granted to semen station under this section shall be valid for a period of two years from the date of its issue.

(8) The semen station shall, in such form alongwith such fee, as may be prescribed, apply for renewal of registration to the Authority at least three months before the expiry of the certificate of registration. The Authority after satisfying itself that the conditions specified in sub-section (6) with regard to certificate of registration have been adhered to, shall renew the registration for a further period of two years, within three months from the date of receipt of application. If the renewal certificate is not issued within three months, approval shall be deemed to have been accorded, unless communicated otherwise.

(9) Any new bovine bull that meets the standards for semen production shall not be inducted in the semen station for semen production without the prior approval and necessary certification from the Authority. Death/culling of certified bull shall be informed to the Authority.

(10) The Authority may, after giving the applicant an opportunity of being

heard and for reasons to be recorded in writing, refuse to grant or renew the certificate of registration.

(11) The Authority shall send a Committee of experts to inspect a semen station as and when desired, but at least once in a year, to ensure compliance of the conditions specified in the certificate of registration.

Registration of semen banks. 10. (1) On and from the date commencement of this Act, no person (including any Firm, Limited Liability Partnership (LLP), Company, Producer Company, Institution, NGO, Breeders' Association, Trust, Department of Central or State Government, Co-operative Society or any other agency), shall establish and operate a semen bank without obtaining a certificate of registration from the Authority.

(2) The certificate of registration referred to in sub-section (1) shall be issued in such manner and subject to such conditions, as may be prescribed.

Certification of bulls. 11. (1) On and from the date of commencement of this Act, no new semen station shall carry out semen production from any bovine bull other than those certified by the Authority.

(2) The bulls shall be certified by the Authority in such manner and subject to such conditions, as may be specified by the Government.

(3) The Authority shall generate a unique Identification No. for each certified bull and it shall be mandatory for the semen stations to tag this unique Identification No. securely and permanently to the certified bulls at all times.

Certification of trained AI workers. 12. The trained AI workers shall be certified by the Authority in such manner and subject to such conditions, as may be specified by the Government.

Regulation of sale of semen. 13. (1) None shall sell or distribute or gift or transfer the semen/embryo to any person other than a person, as may be authorized by the Authority

(2) No semen/embryo produced outside the State-of Punjab shall be allowed into the State of Punjab to be sold, distributed or gifted for Artificial Insemination/transfer, except with the prior approval of the Authority to be granted in such manner and subject to such conditions, as may be prescribed.

(3) No semen/embryo shall be imported for Artificial Insemination/transfer in to the State of Punjab from any other country, except with the prior approval of the Authority to be granted in such manner and subject to such conditions, as may be prescribed.

14. In case a certificate of registration or a certificate of renewal issued under this Act is defaced, lost or destroyed, the Authority, may, upon satisfaction, grant a duplicate certificate to the applicant on payment of such fee, as may be prescribed.

15. If the Authority is satisfied, either on a reference made to it in this behalf or on the basis of inquiry report of a Committee of experts constituted by the Authority or otherwise that,-

(a) the certificate of registration granted by it under this Act to a Semen station has been obtained by misrepresentation or fraud; or

(b) the holder of the certificate of registration has, without reasonable cause, failed to comply with the terms and conditions subject to which the certificate has been granted or has contravened any of the provisions of this Act or has not complied with such conditions, as may be prescribed;

then, without prejudice to any other proceedings to which the holder of the certificate may be liable under this Act, the Authority, may, after giving the holder of the certificate of registration an opportunity to show cause;

(i) where under this Act, any conditions have been imposed on any person, while granting the certificate of registration or renewal thereof, or under section 9, and such person has failed to comply with such conditions, the Authority, after giving such person opportunity of being heard, revoke the certificate of registration or renewal thereof and shall take such steps against such person, as may be prescribed; or

(ii) suspend the certificate of registration or renewal till the holder of the certificate complies with all the required conditions to the satisfaction of the Authority; or

(iii) take an undertaking from the holder of the certificate of registration, to comply with the provisions of this Act.

16. (1) Any person aggrieved by an order of the Authority refusing to grant or renew a certificate of registration or revoking or suspending the certificate of registration under the provisions of this Act, may file an appeal before the Appellate Authority, who shall be the Administrative Secretary of the Department of Animal Husbandry, Punjab.

(2) The Appellate Authority, after giving a reasonable opportunity of

Issue of duplicate registration certificate.

Revocation of certificate of registration.

Appeal.

being heard to the applicant, shall decide the appeal, as expeditiously as possible, but within three months.

CHAPTER IV

Power to inspect, search and seizure.

17. (1) The Authority or members of the Committee of experts authorised by it in this behalf, with a view to ensure compliance with the terms and conditions of the certificate of registration or any provisions of this Act, or for the purpose of inspection and inquiry, may,-

- (a) enter, inspect and cause or conduct search of any premises in which it has reason to believe that any activity in contravention of the provisions of this Act is going on or there is any contravention of any of the provisions of this Act or rules made there under or the holder of certificate is doing activities in violation of the terms and conditions specified in the certificate of registration issued under this Act.
- (b) collect samples of semen, blood or any other material used in semen production from the premises of any semen station and have such samples analyzed from a recognized laboratory. All the stock of the semen which is from uncertified bull shall be destroyed immediately and semen processing equipment shall be sealed.

(2) The provisions of the Code of Criminal Procedure, 1973 relating to search and seizure shall, as far as may be, apply to searches and seal/seizures under sub-section (1).

Maintenance and submission of records.

18. (1) Every person who holds a certificate of registration under this Act shall maintain such books, accounts and records relating to his business transactions in such form, as may be specified by the Authority in this behalf.

(2) Every person who holds a certificate of registration for a Semen station/semen bank shall submit to the Authority, an annual, report, in duplicate, in respect of the semen station/semen bank in such form, as may be prescribed and with respect to new bulls proposed for certification whose semen is to be put on use in such form, as may be prescribed.

Power to give directions.

19. Notwithstanding anything contained in any other law, but subject to the provisions of this Act, and to any directions that the Government may give in this behalf, the Authority, may in exercise of its powers and performance of its functions under this Act, issue any directions in writing to any person, officer, or authority, and such person, officer or authority, as the case may be, shall be bound to comply with such directions. The powers to issue directions under this section shall include the power to direct,-

- (i) the closure, prohibition or regulation of any operation, process or activity related to bovine breeding; or
- (ii) the stoppage or regulation of supply of electricity, water or any other service.

20. (1) Where it is apprehended by the Authority, that any person, firm, company or Non-Governmental Organization is engaged in the bovine breeding services or trading and supply of semen/embryo in contravention of the provisions of this Act or rules made there under, the Authority or any officer authorized by it, may file a complaint in the Court of Judicial Magistrate First Class for restraining the said person from carrying out the said activity.

(2) On receipt of an application under sub-section" (1), the Court may pass an order restraining any such person, to carry out the said activity or give such directions or pass such order as it may deem fit.

21. (1) Any person who contravenes or violates any provision of this Act or rules made thereunder, shall be punished with a fine up to one lakh rupees or with rigorous imprisonment upto one year, or both.

(2) The fine so imposed, may be recovered from the person concerned, as arrears of land revenue.

22. (1) No court shall take cognizance of any offence under this Act, except on a complaint made by the Authority or any officer authorized by it in this behalf.

(2) No Court inferior to that of a Judicial Magistrate of the First Class shall try any offence punishable under this Act.

(3) No prosecution for offences punishable under this Act shall be instituted, except with the prior sanction of an officer authorized in this behalf by the Authority, by notification.

(4) Production, possession, distribution, sale, transfer in any form, import-export or use of unauthorized semen or misbranded or sub-standard semen shall be a cognisable offence under this Act.

Chapter V

Miscellaneous

23. Any document purporting to be a report duly issued by a recognized laboratory may be used as evidence of the facts stated therein in any proceedings under this Act.

Power to make application to Courts for restraining apprehended bovine breeding activities in contravention of this Act.

Penalties.

Cognizance of offences.

Report of Recognized Laboratory.

Local Authorities to assist.

24. All local authorities shall render such help and assistance and furnish such information to the Authority, as it may require for discharge of its functions and shall make available for inspection and examination such records or documents, as may be necessary.

Reports.

25. The Authority shall furnish to the Government such reports, statistics, and other information with respect to its funds, activities or policies as required by the Government, from time to time.

Experts, officers and officials of the Authority to be public servants.

26. All experts, officers and officials of the Authority, when acting or purporting to act in pursuance of any of the provisions of this Act and the rules made thereunder shall be deemed to be public servants within the meaning of Section 21 of the Indian Penal Code.

Bar on Jurisdiction

27. No civil court shall have any jurisdiction in any matter, in respect of which the Government or any other person or authority is empowered by this Act to take cognizance, and dispose it of, and the manner in which the Government or such person or authority may exercise any power, vested in it or him by or under this Act.

Protection of action taken in good faith.

28. No suit or other legal proceedings shall lie against any member, officer or officials, of the Authority in respect of anything which is in good faith and public interest, done or intended to be done in pursuance of this Act or the rules made thereunder.

Power of Government to make rules.

29. (1) The Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, the Government may make such rules, as may provide for any other matter which has to be or may be prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be, after it is made, before the House of the State Legislature, while it is in session, for a total period of fifteen days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the successive sessions as aforesaid, the House agrees in making any modification in the rules, or the House agrees, that the rules should not be made, the rules shall thereafter have effect only in such modified form or be of no effect, as the case may be. However, any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

30. (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by an order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty.

Power to remove difficulties.

(2) The Government may issue such guidelines to the Authority as it deems fit for the purpose of implementation of the provisions of this Act.

31. The funds of the Authority shall be the budgetary allocation of the Department of Animal Husbandry, Punjab.

Funds of the Authority.

32. (1) The Punjab Livestock Improvement Act, 1953 (Punjab Act No. 47 of 1953), is hereby repealed.

Repeal and Saving.

(2) Notwithstanding such repeal, anything done or any action taken under the Act, referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of this Act.

STATEMENT OF OBJECTS AND REASONS

The Punjab Bovine Breeding Bill, 2016, seeks improvement of bovines through regulation of bovine breeding activities including use of bovine breeding bulls for production of bovine semen, processing, storage, sale and distribution of bovine semen and artificial insemination and any other breeding activity in bovines in the State of Punjab and for the matters connected therewith or incidental thereto.

To meet these objectives, there is need to provide for legislation. Hence this bill.

GULZAR SINGH RANIKE,
Minister for Animal Husbandry, Punjab.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Section 29 of the Punjab Bovine Breeding Bill, 2016 empowers to the State Government to make rules to carry out the purposes of this Act. The Powers sought are necessary for the proper implementation of the provisions of the Act and are normal in nature.

CHANDIGARH

THE 21st MARCH, 2016

SHASHI LAKHANPAL MISHRA

SECRETARY.

0978/03-2016/Pb. Govt. Press, S.A.S. Nagar

Regd. No. NW/CH-22

Regd. No. CHD/0092/2012-2014

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PUNJAB VIDHAN SABHA SECRETARIAT

NOTIFICATION

The 21st March, 2016

No. 18-PLA-2016/231.-The Punjab Privately Managed Aided Colleges (Non-Payment of Grant-in-Aid on Account of Terminal Benefits) Bill, 2016 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No. 18-PLA-2016

THE PUNJAB PRIVATELY MANAGED AIDED COLLEGES (NON-PAYMENT OF GRANT-IN-AID ON ACCOUNT OF TERMINAL BENEFITS) BILL, 2016

A

BILL

to provide for non-payment of grant-in-aid on account of terminal benefits to the Punjab Privately Managed Aided Colleges and for the matters connected therewith or incidental thereto.

Whereas since the inception of the Grant-in-Aid Scheme, the Leave Encashment and Gratuity etc. being Terminal Benefits, were never the

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expenditures covered under the said Scheme and the same is only to provide for grant-in-aid on account of expenditures payable during service tenure of the employees.

Whereas the Government of Punjab has now deemed it appropriate for non-payment of grant-in-aid on account of terminal benefits such as gratuity and leave encashment etc. to the Privately Managed Aided Colleges in the State of Punjab.

Whereas based on the advice dated the 8th March, 2016 of the Department of Finance, the Government of Punjab, Department of Higher Education had placed the matter before the Council of Ministers of the State of Punjab and the Council of Ministers, in its meeting held on the 15th March, 2016, has decided for non-payment of grant-in-aid on account of terminal benefits such as gratuity and leave encashment etc. to the privately managed aided colleges.

And whereas in these circumstances, it is expedient to enact a law in public interest to avoid undue and unjustified financial liabilities on the State Exchequer.

BE it enacted by the Legislature of the State of Punjab in the Sixty-seventh Year of the Republic of India as follows:-

Short title and commencement.

1. (1) This Act may be called the Punjab Privately Managed Aided Colleges (Non-Payment of Grant-in-Aid on Account of Terminal Benefits) Act, 2016.

(2) It shall deemed to have come into force on and with effect from the 21st March, 1979.

Definitions.

2. In this Act, unless the context otherwise requires,-

- (a) "Finance Department" means the Department of Finance of the State of Punjab;
- (b) "State Government" means the Government of the State of Punjab in the Department of Higher Education;
- (c) "Terminal Benefits" means the benefits payable at the time of retirement from service or otherwise;
- (d) "Scheme" means the Grant-in-Aid Scheme issued by the Government vide letter No. 2563-5Edu.1/79-4316 dated 21.3.1979

as amended or to be amended by the Government from time to time; and

(e) "Employees" means the employees (working or retired) of the Privately Managed Aided Colleges in the State of Punjab covered under the Scheme.

3. The leave encashment and gratuity etc. being terminal benefits shall not be covered under the Scheme as expenditure of the State Government and the Government shall not be responsible to compensate any management for expenditure on account of such terminal benefits.

Expenditure not covered under the Scheme.

4. Notwithstanding anything contained in any instructions, rule or other law for the time being in force and any order or decision of any Court or of any Tribunal, all the Privately Managed Aided Colleges covered under the scheme shall not be entitled to any grant-in-aid on account of payment of the terminal benefits under the Scheme.

Aided Colleges not entitled for grant-in-aid for the payment of terminal benefits.

5. No suit and prosecution shall lie against the State Government or any officer or employee of the State Government for anything, which is done or intended to be done in good faith under this Act.

Protection of actions taken in good faith.

6. No Civil Court shall have jurisdiction to entertain any suit or proceedings in respect of any matter arising under or connected with this Act.

Bar of Jurisdiction.

STATEMENT OF OBJECTS AND REASONS

An Act is required to be passed to clarify that it never was and never is the responsibility of the State Government to pay the Leave Encashment and Gratuity under Grant-in-Aid scheme, notified on 20.03.1979 and as amended from time to time.

Over the last few years, managements of Private Aided Colleges have started claiming Grant-in-Aid on account of Leave Encashment and Gratuity being paid by them to their employees.

In these circumstances, it is expedient to enact a law in public interest to clarify about the issue of terminal benefits of Leave Encashment & Gratuity etc. to avoid undue and unjustified financial liabilities on the State Exchequer.

SURJIT SINGH RAKHRA,
Minister for Higher Education, Punjab.

CHANDIGARH:
THE 21st MARCH, 2016

SHASHI LAKHANPAL MISHRA
SECRETARY.

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PUNJAB VIDHAN SABHA SECRETARIAT

NOTIFICATION

The 21st March, 2016

No. 19-PLA-2016/232.-The Punjab Municipal (Amendment) Bill, 2016 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No. 19-PLA-2016

THE PUNJAB MUNICIPAL (AMENDMENT) BILL, 2016

A

BILL

further to amend the Punjab Municipal Act, 1911.

BE it enacted by the Legislature of the State of Punjab in the Sixty-seventh Year of the Republic of India as follows :-

1. (1) This Act may be called the Punjab Municipal (Amendment) Act, 2016. Short title and commencement.
- (2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

Insertion of
section 59-A in
Punjab Act 3 of
1911.

2. In the Punjab Municipal Act 1911 (hereinafter referred to as the principal Act), after section 59, the following section shall be inserted, namely:-

"59-A. (1) With respect to the disposal of property belonging to a Committee, the following provisions shall have effect, namely:-

- (a) The Executive Officer may,-
 - (i) dispose of, by sale or otherwise, any movable property belonging to the Committee, the value of which does not exceed five thousand rupees;
 - (ii) grant a lease (other than a lease in perpetuity) of any immovable property belonging to the Committee; or
 - (iii) sell or grant a lease in perpetuity of any immovable property belonging to the Committee, the value of which does not exceed five thousand rupees or the annual rent of which does not exceed three thousand rupees.
- (b) In cases not covered by clause (a), the Executive Officer may, with the sanction of the Committee, lease, sell, let out on hire or otherwise transfer any property, movable or immovable, belonging to the Committee.
- (c) The consideration for which any immovable property may be sold, leased or otherwise transferred shall not be less than the value at which such immovable property could be sold, leased or otherwise transferred in normal and fair competition.
- (d) The sanction of the Committee under the aforesaid clause (b) may be given either generally for any class of cases or specially for any particular case.
- (e) Subject to any condition or limitation that may be specified by or under any other provision of this Act, the foregoing provisions of this section shall apply to every disposal of property belonging to the Committee made under, or for any purposes of this Act.

(f) Every case of disposal of property under clause (a) shall be reported by the Executive Officer without delay to the Committee.

(2) Notwithstanding anything contained in sub-section (1), the Executive Officer may, with the sanction of the Committee, transfer at market value, any immovable property belonging to the Committee to recognized political parties having representation in the current Vidhan Sabha but, having no office at the District headquarter."

3. In the principal Act, in section 61, in sub-section (1), in clause (aa) in sub-clause (A), in Item I,-

Amendment in section 61 of Punjab Act 3 of 1911.

- (i) at the end of serial No. (ix), the word "and" shall be omitted; and
- (ii) at the end of serial No. (x), the word "and" shall be added and thereafter, the following shall be added, namely:-

"(xi) purchase centres, sub yards, principal yards, kisan sarais, office buildings and other properties owned and used by the Punjab State Agricultural Marketing Board and the Market Committees established under the Punjab Agricultural Produce Markets Act, 1961 (Punjab Act No. 23 of 1961).".

4. In the principal Act, in section 68, for sub-section (3), the following sub-section shall be substituted, namely:-

Amendment in section 68 of Punjab Act 3 of 1911.

"(3) Where the tax calculated under sub-section (1), is not fully paid by the owner or occupier by the 31st December of the relevant financial year as aforesaid, but is paid on or before the 31st March of that financial year, a penalty of ten per cent of the remaining amount of tax so calculated shall be payable:

Provided that no penalty shall be payable if the tax calculated under sub-section (1) for the financial year 2015-16 is fully paid by the 31st March, 2016.".

STATEMENT OF OBJECTS AND REASONS

The State Government has decided to give concessions in the property tax to Market Committees and Mandi Board properties and has also decided that property tax for the year 2015-16 can be deposited by 31 March, 2016 without any penalty. In addition, a decision has been taken to make provision for allotting land for opening district offices for the Recognised Political Parties in Punjab Vidhan Sabha. Accordingly, the present Bill, i.e. the Punjab Municipal (Amendment) Bill, 2016 aims to make suitable amendments in the Punjab Municipal Act, 1911. Hence, this Bill.

ANIL JOSHI,
Minister for Local Government, Punjab.

CHANDIGARH:
The 21st March, 2016

SHASHI LAKHANPAL MISHRA
SECRETARY.



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PUNJAB VIDHAN SABHA SECRETARIAT

NOTIFICATION

The 21st March, 2016

No.20-PLA-2016/233.-The Punjab Municipal Corporation (Amendment) Bill, 2016 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No. 20-PLA-2016

THE PUNJAB MUNICIPAL CORPORATION (AMENDMENT) BILL, 2016

A

BILL

further to amend the Punjab Municipal Corporation Act, 1976.

BE it enacted by the Legislature of the State of Punjab in the Sixty-Seventh Year of the Republic of India as follows :-

1. (1) This Act may be called the Punjab Municipal Corporation (Amendment) Act, 2016. Short title and commencement.
- (2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

Amendment in
 section 90 of
 Punjab Act 42 of
 1976.

2. In the Punjab Municipal Corporation Act, 1976 (hereinafter referred to as the principal Act), in section 90, in sub-section (3-A), in clause (ii), in sub-clause (A), in item 1,-

- (i) at the end of serial No. (ix), the word "and" shall be omitted; and
- (ii) at the end of serial No. (x), the word "and" shall be added and thereafter, the following shall be added, namely:-

"(xi) purchase centres, sub yards, principal yards, kisan sarais, office buildings and other properties owned and used by the Punjab State Agricultural Marketing Board and the Market Committees established under the Punjab Agricultural Produce Markets Act, 1961 (Punjab Act No. 23 of 1961).".

Amendment in
 section 112-A of
 Punjab Act 42 of
 1976.

3. In the principal Act, in section 112-A, for sub-section (3), the following sub-section shall be substituted, namely:-

"(3) Where the tax calculated under sub-section (1), is not fully paid by the owner or occupier by the 31st December of the relevant financial year as aforesaid, but is paid on or before the 31st March of that financial year, a penalty of ten per cent of the remaining amount of tax so calculated shall be payable:

Provided that no penalty shall be payable if the tax calculated under sub-section (1) for the financial year 2015-16 is fully paid by the 31st March, 2016.".

Insertion in
 section 172 of
 Punjab Act 42 of
 1976.

4. In the principal Act, in section 172, the existing provisions shall be re-numbered as sub-section (1) and after such re-numbered sub-section (1), the following sub-section shall be added, namely:-

"(2) Notwithstanding anything contained in sub-section (1), the Commissioner may, with the sanction of the Corporation, transfer at market value, any immovable property belonging to the Corporation to recognized political parties having representation in the current Vidhan Sabha but, having no office at the District Headquarter.".

STATEMENT OF OBJECTS AND REASONS

The State Government has decided to give concessions in the property tax to Market Committee and Mandi Board properties and has also decided that property tax for the year 2015-16 can be deposited by 31 March, 2016 without any penalty. In addition, a decision has been taken to make provision for allotting land for opening district offices for the Recognised Political Parties in Punjab Vidhan Sabha. Accordingly, the present Bill, i.e. the Punjab Municipal Corporation (Amendment) Bill, 2016 aims to make suitable amendments in the Punjab Municipal Corporation Act, 1976. Hence this Bill.

ANIL JOSHI,
Minister for Local Government, Punjab.

CHANDIGARH:

THE 21st MARCH, 2016

SHASHI LAKHANPAL MISHRA

SECRETARY.



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PUNJAB VIDHAN SABHA SECRETARIAT

NOTIFICATION

The 21st March, 2016

No. 21-PLA-2016/234.-The Amritsar Walled City (Recognition of Usage) Bill, 2016 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No. 21-PLA-2016

THE AMRITSAR WALLED CITY (RECOGNITION OF USAGE)

BILL, 2016

A

BILL

to provide for one-time recognition of usage in respect of building violations made in commercial establishments within the walled city of Amritsar and for regulated development by providing for public safety, convenience and well being.

BE it enacted by the Legislature of the State of Punjab in the Sixty-seventh Year of the Republic of India as follows :-

1. (1) This Act may be called the Amritsar Walled City (Recognition of Usage) Act, 2016.

(2) It shall be applicable to the walled city.

Short title and commencement.

(3) It shall come into force on and with effect from the date of its publication in the Official Gazette.

Definitions.

2. (1) In this Act, unless the context otherwise requires,-
 - (a) "appointed date" means such date, as may be notified by the State Government;
 - (b) "building by-laws" means the Municipal Corporation (Erection and Re-erection of Building) Bye-laws, 1997;
 - (c) "building violation" means construction of a building made in violation of its sanctioned plan or without getting the plan sanctioned from the Competent Authority, whole or part of which is non-compoundable as per clause 3.15 of the building bye-laws made under the Punjab Municipal Corporation Act, 1976;
 - (d) "commercial establishment" means a building, other than an industrial building, used or constructed or adopted to be used wholly or partially for shops, private offices, banks, hotels, restaurants, beauty parlors, boutiques, video parlors, cinemas and auditoriums, or any other such building, being used for similar purpose engaged in trade and commerce, but shall not include nursing homes, hospitals, marriage palaces and multiplexes;
 - (e) "Competent Authority" mean the Commissioner, Municipal Corporation, Amritsar;
 - (f) "prescribed" means prescribed by rules made under this Act;
 - (g) "State Government" means the Government of the State of Punjab in the Department of Local Government;
 - (h) "usage" means the existing use of the commercial establishment as per the municipal record on the appointed date; and
 - (i) "walled city" means the area of Amritsar city bounded by outer circular road within the boundaries of fascile wall and old gates i.e. Hall Gate, Ram Bagh Gate, Mahan Singh Gate, Sheran Wala Gate, Ghee Mandi Gate, Sultanwind Gate, Chatiwind Gate, Gilwali Gate, Bhagtan Wala Gate, Hakiman Gate, Khazana Gate, Lahori Gate, B.K. Dutt Gate, Lohgarh Gate, Hathi Gate and Sikandri Gate as shown in the Schedule appended to this Act.
- (2) All other expressions used, but not defined, in this Act shall have their respective meanings as assigned to them in the Punjab Municipal Corporation Act, 1976 and the building bye-laws.

3. (1) Within a period of thirty days from the date of coming into force of this Act, any owner of a commercial establishment, within the walled city, may voluntarily disclose about any building violation and apply to the Competent Authority for recognition of its usage as on the appointed date. Such an application shall be submitted as per Form 'A' along with photographs of such establishment, duly signed by its owner.

Mode of application.

(2) Thereafter, within a period of ninety days, the applicant shall submit the required information in Form 'B' alongwith all the requisite documents/ plans and such application fee, as may be prescribed.

4. (1) The building violations and usages as they exist on the appointed date and disclosed voluntarily shall be settled by the Competent Authority, as a one-time measure, on as-is-where-is basis, subject to adherence to such norms and upon payment of such composition fee, as may be prescribed by the State Government in view of the peculiar situation of the walled city.

One-time recognition of usage in commercial establishment.

(2) The applicant shall have to make structural changes in the building if required to bring it in conformity with prescribed norms within a period of ninety days from the date of submission of details in Form 'B' and shall also submit mandatory clearances from other departments/authorities, if required.

(3) In case such owner/applicant does not comply with the prescribed norms, then the water supply/sewerage connections to the whole commercial establishment shall be disconnected after giving a notice of thirty days, which shall be followed by sealing.

5. The Competent Authority shall pass the final order and finalize the matter under this Act within a period of one year after coming into force of this Act.

Time limit for finalizing action under the Act.

6. (1) No usage, in case of a building violation, shall be recognized if it involves encroachment on any public or private land.

Restrictions on recognition of usage.

(2) The one-time recognition shall be without prejudice to the disciplinary action, as may be taken against the concerned officer or official of the Municipal Corporation, Amritsar, who is found responsible for aiding or abetting such usage and building violations.

7. Notwithstanding anything inconsistent contained in the Punjab Municipal Corporation Act, 1976 and the rules, regulations and the building bye-laws made thereunder, the provisions of this Act shall have an over-riding effect.

Overriding effect.

FORM 'A'**[see section 3(1)]****Application form for recognition of building violations and usage**

To

The Commissioner,
Municipal Corporation, Amritsar.

- I/We have constructed a commercial/hotel building or carried out alteration/addition to an existing building before _____ without obtaining sanction from the Competent Authority.
- I/We have obtained sanction vide permit No. _____ dated _____ for the construction or reconstruction or addition or alteration to an existing building and have carried out the construction in deviation to sanctioned plans.

The particulars of the said building are as under:-

a) Name of owner(s) of the Building			
b) Address of property in question	Property No.		
	Block No./Street		
	Ward No./Locality		
c) Description of Building	Use of building		
	Plot area		
	No. of storeys		
d) Date/Year of construction			

1. I/We realize that the construction so carried out is in violation of the provisions of the Punjab Municipal Corporation Act, 1976 and/or the Building Bye-laws framed thereunder.
2. I/We hereby request that the said building may be considered for recognition of usage in terms of the provisions of the Amritsar Walled City (Recognition of Usage) Act, 2016.
3. I/We declare that the building does not encroach on any public/private land or on public space by virtue of any Scheme.

4. I/We declare that neither any dispute regarding ownership or construction thereof is pending with any Court, Authority/Department or with any person nor any adverse orders have been passed by any Court or Authority/Department pertaining to or with reference to the land/plot or building therein.
5. I/We also undertake to abide by and comply with all the conditions, which may be imposed while recognizing the usages in the aforesaid building.
6. I/We solemnly affirm and declare that the above information is true/correct to the best of my/our knowledge/belief.
7. The photographs showing the elevation of the building from all sides are enclosed.

Yours faithfully,

(Signature/Thumb impression of applicant
with date of submission and address)

FORM 'B'**[see section 3(2)]****Application form for recognition of building violations and usage**

To

The Commissioner,
Municipal Corporation,
Amritsar.

Sir,

In continuation of my Application for recognition of building violations and usage in Form A, submitted vide number _____ dated _____, I hereby submit the following details/documents/Plans as required under sub-section (2) of section 3 of The Amritsar Walled City (Recognition of Usage) Act, 2016

a)	Name of owner(s) of the commercial establishment		
b)	Address of property in question	Property No.	
		Block No./Street	
		Ward No./Locality	
c)	Description of the commercial establishment		
a)	Plot area		
b)	Number of storeys		
c)	Floor wise area	Use	Total Area
			Non-compoundable area
(i)	Basement		
(ii)	Ground Floor		
(iii)	First Floor		
(iv)	Second Floor		
(v)	Third Floor		
(vi)	Fourth floor		
	Total Area		

	Permissible/Required	As per site	Non compoundable
d) FAR			
e) Height			
f) Setbacks			
Front			
Side-I			
Side-II			
Rear			
g) Parking			

2. Checklist of enclosures to be furnished by the owner:-

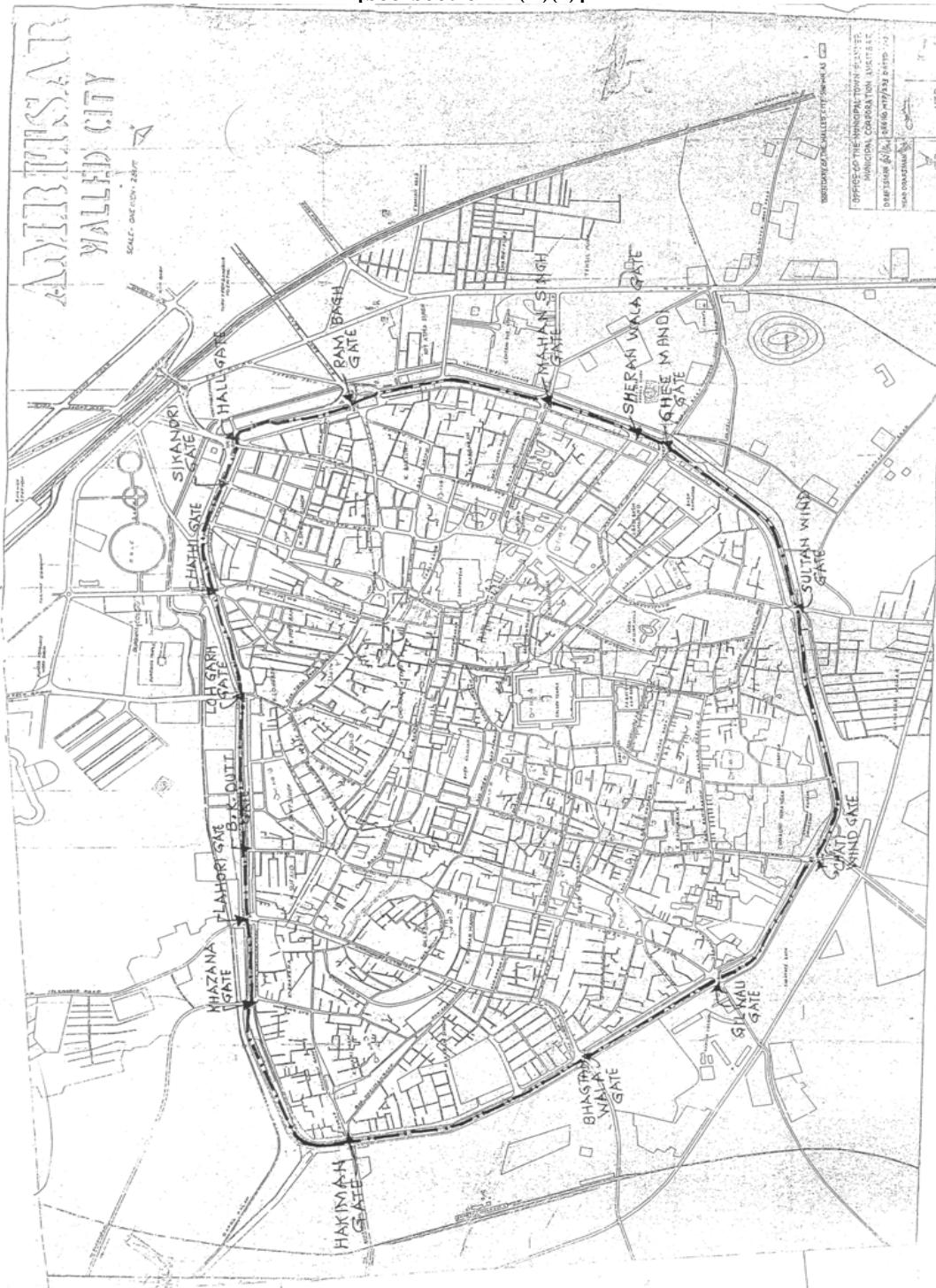
- a) Copy of ownership document;
- (b) Copy of approved building plan, if any;
- c) Structural Safety Certificate given by the Structural Engineer;
- d) Fire Safety Certificate, if applicable;
- e) Four copies each of the Location Plan, Site Plan, Floor plans, Elevations and Sections of the commercial establishment, Service Plans and specifications as provided in the building byelaws, duly signed and certified in the prescribed format, by the owner and Architect/building designer.

(Note:- In the drawings/Plans the non-compoundable violations shall be outlined in red colour and All the drawings/Plans shall be duly signed and certified by the Owner and the Architect/Building designer that the constructions have been raised on or before the appointed date and all the details/measurements are as per construction existing at site.)

Yours faithfully,

(Signature/Thumb impression of
 applicant with date of submission)

SCHEDULE
[see section 2(1)(i)]



STATEMENT OF OBJECTS AND REASONS

The walled city of Amritsar enjoys a place of reverence and heritage. The walled city has been in existence for over four hundred years, during which properties have been used for considerable length. The rights have come to be vested in people on account of unhindered continuous use and occupation of the property. It has thus necessitated the need to recognize and regularize such existing usage and violations. Accordingly, the present Bill, i.e. The Amritsar Walled City (Recognition of Usage) Bill, 2016 aims to make suitable provisions. Hence this Bill.

ANIL JOSHI,
Minister for Local Government, Punjab.

CHANDIGARH:
THE 21st MARCH, 2016

SHASHI LAKHANPAL MISHRA
SECRETARY.



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PUNJAB VIDHAN SABHA SECRETARIAT

NOTIFICATION

The 21st March, 2016

No. 23-PLA-2016/235.-The Punjab Excise (Amendment) Bill, 2016 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No. 22-PLA-2016

THE PUNJAB EXCISE (AMENDMENT) BILL, 2016

A

BILL

further to amend the Punjab Excise Act, 1914.

BE it enacted by the Legislature of the State of Punjab in the Sixty-seventh Year of the Republic of India as follows :-

1. (1) This Act may be called the Punjab Excise (Amendment) Act, 2016. Short title and commencement.
(2) It shall come into force on and with effect from the 1st day of April, 2016.
2. In the Punjab Excise Act, 1914 (hereinafter referred to as principal Act), after section 26, a new section 26-A shall be inserted, namely:-
"26-A. (1) The location of the liquor vends shall be regulated by the **Location of the Government: liquor vends.** Insertion of new section 26-A in Punjab Act 1 of 1914.

Provided that this section shall be applicable only to liquor vends situated in areas adjoining the National Highways and State Highways for consumption, off the premises.

(2) No licence for sale of liquor shall be granted to a liquor vend situated within the road reservation of National Highways and State Highways and beyond road reservation neither the liquor vends nor their entry points shall be visible or directly accessible from the National Highways and State Highways.

Explanation.- (i) "Visibility" means existence of any signboard, direction mark, display of stock of liquor, display of rates or any direct/indirect invitation to the commuter travelling on such Highways; and
(ii) "Directly Accessible" means such liquor vend shall not be directly approachable from the National Highway and State Highway.

(3) The restrictions referred to in sub-section (2) shall not apply to the liquor vends situated in the areas adjoining to National highway and State Highway, passing through the limits of Municipal Corporation/Municipal Council/ Municipal Committee/ Notified Area Committee/Nagar Council/Cantonment Board or any other Authority having a population of twenty thousand or more.".

3. In the principal Act, in section 31, after the word "duty" wherever occurring, the words "or extra license fee and other chargeable levies" shall be inserted.

Amendment of
section 31 of
Punjab Act 1 of
1914.

STATEMENT OF OBJECTS AND REASONS

Section 26-A; There has been some confusion on account of absence of specific provision with respect to location of the liquor vends in the Punjab Excise Act. It has resulted in multiple litigation also. The liquor contractors have been complaining of lack of clarity on this issue. It is the duty of the State Government to regulate the availability of liquor in such a manner that a proper balance is maintained between the availability of licensed liquor to public on one hand and prevention of sale of illicit, smuggled or unlicensed liquor by bootleggers on other hand. Most of the towns, cities, urban areas in the State of Punjab have come up on the highways in ribbon shape. State of Punjab has more than one highway passing through most of the towns, cities, urban areas. Thus, location of liquor vends need to be regulated in such a manner that licensed liquor is available to general public in cities, towns and areas without much hassle and at the same time it is not easily available/accessible to persons commuting from one city to other on highways.

Every year, in the Excise Policy, the State Government prescribes a limit prohibiting location of the liquor vends from the schools, colleges, religious places etc. In most of the cities, elevated highways have been constructed whereas the markets continue to exist there under. State Government has noticed spurt in availability of unlicensed liquor at Dhabas, tea-shops situated on the highways and such liquor is being sold without payment of excise duty. Even illicit liquor is being sold, resulting into huge loss of revenue to the State and it poses great danger to public health. In these circumstances, taking into consideration the entire situation, the State Government has decided to make amendments to the Punjab Excise Act, 1914 through this Bill so as to define location of the liquor vends, and bring clarity and certainty for the benefit of one and all.

Section-31; Presently the excise duty is not leviable on liquor as per excise policy. However various fee and levies are being charged under different nomenclatures. In order to bring in clarity and to safeguard revenue of the State, the words or extra licensee fee and other chargeable levies are being proposed to be added in the Principal Act in Chapter V, in section 31.

Hence, these amendments to the Bill.

SUKHBIR SINGH BADAL,
Deputy Chief Minister, Punjab.

FINANCIAL IMPLICATIONS

There is no direct financial implication in the proposed amendments in the Punjab Excise Act, 1914. These amendments would have an indirect positive impact on future excise revenue receipts of State exchequer.

CHANDIGARH:
THE 21st MARCH, 2016

SHASHI LAKHANPAL MISHRA
SECRETARY.

0978/03-2016/Pb. Govt. Press, S.A.S. Nagar



Punjab Government Gazette

EXTRAORDINARY

Published by Authority

CHANDIGARH, TUESDAY, MARCH 22, 2016
(CHAITRA 2, 1938 SAKA)

PUNJAB VIDHAN SABHA SECRETARIAT

NOTIFICATION

The 21st March, 2016

No. 23-PLA-2016/236.-The Punjab Appropriation (No. 2) Bill, 2016 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No. 23-PLA-2016

THE PUNJAB APPROPRIATION (NO. 3) BILL, 2016

A

BILL

to authorize the payment and appropriation of certain sums from and out of the Consolidated Fund of the State of Punjab, for the services and purposes during the financial year, 2015-2016.

BE it enacted by the Legislature of the State of Punjab in the Sixty-seventh Year of the Republic of India as follows:-

1. This Act may be called the Punjab Appropriation (No. 3)Act, 2016. Short title.

Issue of 2. From and out of the Consolidated Fund of the State of Punjab, there may
₹ 1,04,18,84,00,000/- be paid and applied sums, not exceeding those, specified in column 5 of the
out of the Schedule, appended to this Act, amounting, in the aggregate to a sum of
Consolidated Fund of ₹ 1,04,18,84,00,000/- (Ten Thousand Four Hundred Eighteen Crores and Eighty
the State of Punjab for the financial year, Four Lacs only) towards defraying several charges, which will come in the
for the financial year 2015-16.

2. From and out of the Consolidated Fund of the State of Punjab, there may be paid and applied sums, not exceeding those, specified in column 5 of the Schedule, appended to this Act, amounting, in the aggregate to a sum of ₹ 1,04,18,84,00,000/- (Ten Thousand Four Hundred Eighteen Crores and Eighty Four Lacs only) towards defraying several charges, which will come in the course of payment to be made during the financial year, 2015-2016, in respect of the services and purposes, specified in column 2 of the said Schedule.

Appropriation. 3. The sums, authorized to be paid and applied from and out of the Consolidated Fund of the State of Punjab by this Act, shall be appropriated for the services and purposes, specified in the said Schedule, in relation to the Financial Year 2015-2016.

Overriding effect of 4. Notwithstanding anything contained in any other Act for the time being in force, the provisions of this Act shall prevail.
the Act.

SCHEDULE

Demand Services and purposes No.		Sums not exceeding		
1	2	3 Grant made by the Legislative Assembly	4 Charged on the Consolidated Fund	5 Total
		Rs.	Rs.	Rs.
15	Irrigation and Power	Revenue 0 Capital 1,04,18,84,00,000	0 0 0 1,04,18,84,00,000	0 0
	Total	Revenue 0 Capital 1,04,18,84,00,000	0 0 0 1,04,18,84,00,000	0 0
	Grand Total	1,04,18,84,00,000	0 0 0 1,04,18,84,00,000	0 0

STATEMENT OF OBJECTS AND REASONS

The Bill is introduced in pursuance of clause (1) of Article 204 of the Constitution of India, read with Article 206 thereof, to provide for the appropriation out of the Consolidated Fund of the State of all money required to meet the expenditure charged on the Consolidated Fund and the grants made in advance by the Legislative Assembly in respect of the estimated expenditure of the State Government, for the financial year 2015-2016.

PARMINDER SINGH DHINDSA,
Minister for Finance, Punjab.

CHANDIGARH:
The 21st March, 2016

SHASHI LAKHANPAL MISHRA
SECRETARY.

0978/03-2016/Pb. Govt. Press, S.A.S. Nagar



Punjab Government Gazette

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PUNJAB VIDHAN SABHA SECRETARIAT

NOTIFICATION

The 21st March, 2016

No. 24-PLA-2016/237.-The Indian Stamp (Punjab Second Amendment) Bill, 2016 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No. 24-PLA-2016

THE INDIAN STAMP (PUNJAB SECOND AMENDMENT) BILL, 2016

A

BILL

further to amend the Indian Stamp Act, 1899, in its application to the State of Punjab.

BE it enacted by the Legislature of the State of Punjab in the Sixty-seventh Year of the Republic of India as follows:-

1. This Act may be called the Indian Stamp (Punjab Second Amendment) Act, 2016. Short title and commencement.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

Amendment of
section 9 of
Central Act 2 of
1899

2. In the Indian Stamp Act, 1899, in its application to the State of Punjab, in section 9, in sub-section (1), in clause (a), in the proviso, after the word, figure, sign and letter "Schedule 1-A,", the words, figures, signs and letters "Schedule 1-B and Schedule 1-C," shall be inserted.

Repeal and
Saving.

3. (1) The Indian Stamp (Punjab Amendment) Ordinance, 2015 (Punjab Ordinance No. 5 of 2015), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under this Act.

STATEMENT OF OBJECTS AND REASONS

Stamp duty is levied on the sale/transfer of immovable property under entry No. 23 of Schedule 1-A of the Indian Stamp Act 1899 (for Punjab). However, this stamp duty has been exempted by the Punjab Government in exercise of power u/s 9(1)a of the Act *ibid*, on instruments pertaining to transfer of immovable property by an owner during his/her life time to any blood relation. Under section 3-C(1) of the Indian Stamp Act as amended by Punjab Act No. 11 of 2005, an additional stamp duty as specified in Schedule 1-B is chargeable as Social Security Fund, within the jurisdiction of a Municipality or a Corporation or within the area of five kilometers from the outer limit of the Municipality or Corporation as specified. Similarly, under section 3-D(1) of the Indian Stamp Act 1899 as amended by Punjab Act No. 12 of 2013, an additional duty as social infrastructure cess, is chargeable as specified in Schedule 1-C.

2. In public interest, it has been decided that the Additional Stamp Duties referred to above, may also be exempted in case an owner, during his/her life time, transfers his/her property to family members. However the State Government is not empowered to exempt the additional stamp duties chargeable under Schedule 1-B and I-C of the Indian Stamp Act, 1899.
3. In view of the reasons given in para 1 & 2 above, it has become necessary to amend the provisions under section 9(1)(a) of the Act *ibid*. Hence this Bill.

BIKRAM SINGH MAJITHIA,
Minister for Revenue, Punjab.

FINANCIAL MEMORANDUM

Stamp duty is levied on the sale/transfer of immovable property under entry No. 23 of Schedule 1-A of the Indian Stamp Act 1899 (for Punjab). However, this stamp duty has been exempted by the Punjab Government in exercise of power u/s 9(1)a of the Act *ibid*, on instruments pertaining to transfer of immovable property by an owner during his/her life time to any blood relation. Under section 3-C(1) of the Indian Stamp Act as amended by Punjab Act No. 11 of 2005, an additional stamp duty as specified in Schedule 1-B is chargeable as Social Security Fund, within the jurisdiction of a Municipality or a Corporation or within the area of five kilometers from the outer limit of the Municipality or Corporation as specified. Similarly, under section 3-D(1) of the Indian Stamp Act 1899 as amended by Punjab Act No. 12 of 2013, an additional duty as social infrastructure cess, is chargeable as specified in Schedule 1-C.

2. In public interest, it has been decided that the Additional Stamp Duties referred to above, may also be exempted in case an owner, during his/her life time, transfers his/her property to family members. However the State Government is not empowered to exempt the additional stamp duties chargeable under Schedule 1-B and I-C of the Indian Stamp Act, 1899.

3. The actual benefit to the public from the proposed amendment or loss to the Government for exemption of these additional stamp duties cannot be foreseen as it is not possible to assess as to how many instruments would actually be executed in a year.

CHANDIGARH:
The 21st March, 2016

SHASHI LAKHANPAL MISHRA
SECRETARY.

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PUNJAB VIDHAN SABHA SECRETARIAT

NOTIFICATION

The 21st March, 2016

No. 25-PLA-2016/238.-The Punjab Development of Trade, Commerce and Industries (Validation) Bill, 2016 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No. 25-PLA-2016

THE PUNJAB DEVELOPMENT OF TRADE, COMMERCE AND INDUSTRIES (VALIDATION) BILL, 2016

A

BILL

to provide for the non discriminatory and compensatory levy of tax on the entry of specified goods into the local area for development of trade, commerce and industries and the matters connected therewith or incidental thereto.

BE it enacted by the Legislature of the State of Punjab in the Sixty-Seventh Year of the Republic of India as follows:-

(449)

Short title and commencement.

1. (1) This Act may be called the Punjab Development of Trade, Commerce and Industries (Validation) Act, 2016.

(2) It shall be deemed to have come into force on and with effect from the 6th day of May, 2015.

Definitions.

2. In this Act, unless the context otherwise requires,-

- (a) "Appellate Authority" means an Authority appointed under section 3 of the Punjab Value Added Tax Act, 2005;
- (b) "Board" means the Punjab Development of Trade, Commerce and Industries Board;
- (c) "Business" includes,-
 - (i) any trade, commerce or manufacture or venture or concern whether or not such trade, commerce, manufacture, venture or concern is carried on with a motive to make profit and whether or not any profit accrues therefrom;
 - (ii) any transaction in connection with or incidental or ancillary to such trade, commerce, venture or concern; and
 - (iii) e-commerce transactions including direct buying and selling through electronic marketplaces and online shopping website;
- (d) "dealer" includes occasional dealer or any person, who in the course of business, whether on his own account or on account of his principal or any other person, brings or causes to be brought into a local area, goods specified in the Schedule or takes delivery or is entitled to take delivery of goods specified in the Schedule on its entry into the local area;
- (e) "entry of goods" with all its grammatical or cognate expressions, means entry of goods into the State of Punjab from any place outside the State and through any mode of transport;
- (f) "information collection centre" means the information collection centre or check post including temporary check post or both, as the case may be, established under section 51 of the Punjab Value Added Tax Act, 2005;

- (g) "local area" means an area within the territorial boundaries of the State of Punjab;
- (h) "occasional dealer" means a person who, in the course of occasional transactions of the business, whether on his own or on account of his principal or any other person, brings or causes to be brought into a local area, goods specified in the Schedule or takes delivery or is entitled to take delivery of good specified in the Schedule on its entry into the local area;
- (i) "person" includes any company or association or body of individuals whether incorporated or not, and also Hindu Undivided Family, a firm, a society, a trust, a club, an individual, a local authority, State Government, Central Government or any Union Territory or any other legal entity and also includes any persons, who acts as a carrier of goods or the logistics partner, who on his own account or on account of seller or on account of any other person brings or causes to be brought or causes the entry of goods into the local area, to be delivered to any person for consumption, use or sale;
- (j) "prescribed" means prescribed by rules made under this Act;
- (k) "Schedule" means a Schedule appended to the rules made under this Act;
- (l) "Scheduled goods" means any goods mentioned in the Schedule;
- (m) "State" means the State of Punjab;
- (n) "State Government" means the Government of the State of Punjab;
- (o) "tax" means tax leviable under this Act;
- (P) "Tribunal" means the Tribunal constituted under section 4 of the Punjab Value Added Tax Act, 2005;
- (q) "value of goods" means the value of any goods as ascertained from purchase invoice or bill and includes value of packing material, packing and forwarding charges, insurance charges, amounts representing excise duty, countervailing duty, custom duty and other such duties, amount of any fee or tax charged transport charges, freight charges and any other charges relating to purchase and

transportation of such goods into the local area in which goods are being brought or received for consumption, use or sale therein;

Provided that where the goods ordered through e-commerce websites have been brought into the State by the seller or the logistics partner or carrier of goods, the value of goods shall be the value on original purchase invoice including value of packing material, packing and forwarding charges, amount of any fee or tax charged, transport charges, freight charges and any other charges relating to purchase and transportation of such goods into the local area; and

(r) "Year" means financial year beginning from the first day of April and ending on the 31 st day of March.

Authorities for carrying out the purposes of this Act.

3. The Commissioner, the Tribunal, the Chairman of the Tribunal, the Members of the Tribunal, the Appellate Authority, the Additional Commissioner, the Joint Commissioner, the Deputy Commissioner, the Assistant Commissioners and the Designated Officers appointed under the Punjab Value Added Tax Act, 2005 shall be the authorities for carrying out the purposes of this Act.

Levy of tax.

4. (1) For the purpose of development of trade, commerce and industry in the State, there shall be levied and collected a tax, not exceeding twenty percent, on entry of goods specified in the Schedule into a local area for consumption, use or sale therein, from any place outside that local area, at such rate, as may be specified by the State Government by notification from time to time. Different rates may be specified in respect of different goods or different classes of goods:

Provided that the State Government may by notification exempt any person or any class of persons or any transactions from payment of tax subject to such conditions, as may be notified:

Provided further that the goods being brought into the local area for further transfer outside the local area through consignment sale or branch transfer shall not be subject to this tax.

(2) The tax levied under sub-section (1), shall be payable by any person, who brings or causes to be brought into the local area, such goods, whether on his account or on the account of his principal or takes delivery or is entitled to

take delivery of such goods on its entry into local area;

Provided that tax levied under sub-section (1), shall be payable by the seller or the logistics partner or the carrier of goods, who brings or causes to be brought or causes the entry of goods into any local area, for delivery of such goods to any person for consumption, use or sale therein, on entry of such goods into the local area.

5. Notwithstanding any judgment, decree or order of any court the tax levied or collected or purported to have been levied collected under section 4 of the Punjab Development of Trade Commerce and Industries Ordinance, 2015 (Punjab Ordinance No. 1 of 2015), during the period commencing from the 6th May, 2015 shall be deemed to have been validly levied and collected in accordance with this Act and accordingly,-

- (a) no suit or other proceedings shall be maintained or continued in any court for the refund of any tax so levied and collected; and
- (b) no court shall enforce any decree or order directing the refund of any of tax so paid.

6. Every person registered under the Punjab Value Added Tax Act, 2005 Registration. shall be deemed to be registered under this Act. The logistics partner or the carrier of goods, who brings or causes to be brought or causes the entry of goods into any local area for any person, not registered under the Punjab Value Added Tax Act, 2005, for the value more than rupees five lacs in a year, shall be liable for registration under this Act, in the manner, as may be prescribed.

7. (1) The returns filed by a person registered under the Punjab Value Returns. Added Tax Act, 2005 shall be treated as returns filed under this Act.

(2) Any person who is liable to be registered under this Act, but is not registered under the Punjab Value Added Tax Act, 2005, shall file returns under this Act, as may be prescribed.

(3) A person who is registered under the Punjab Value Added Tax Act, 2005 shall declare the tax due under this Act with his VAT returns and pay the same with his returns.

(4) Notwithstanding anything contained in this section, the Commissioner or the designated officer, as the case may be, may by notice,

Validation of tax
collected under
Punjab Ordinance
1 of 2015.

direct a person other than a taxable person or a registered person to file returns at such intervals and in such form and containing such information, as may be required.

Administration
and collection of
Tax.

8. Subject to the provisions of this Act and the Rules made thereunder, the authorities appointed under this Act, shall be empowered on behalf of the Board to assess, revise, rectify, collect and enforce the payment of tax including interest and penalty, if any, payable by the person under this Act, as if such tax, interest or penalty, if any, payable by the person, is a tax, interest or penalty payable under the Punjab Value Added Tax Act, 2005. For this purpose, the aforesaid authorities may exercise all or any of the powers, exercisable by them under the Punjab Value Added Tax Act, 2005 and the Rules framed thereunder. The provisions of the Punjab Value Added Tax Act, 2005 relating to the information collection centre, detention of goods, returns, assessment, provisional assessment, revision, rectification, review, payment of tax in advance, registration, transfer of any business, appeals, refunds, rebates, charging or payment of interest, levy and payment of penalty, information to be furnished regarding change of business, imposition of tax liability, carrying on business on the transfer of successor to such business, transfer of any liability of any firm or Hindu Undivided Family to pay tax in the event of dissolution of such firm or partition of family, recovery of tax from third parties, review references, compounding of offences and treatment of documents furnished as confidential, seeking information from any person shall apply mutatis mutandis.

Manner of
payment of tax.

9. (1) In case entry into the local area is made through road, by a registered person, the tax shall be paid by such person along with returns.

(2) In case entry into the local area is made through road, by a unregistered person, he shall have the option to pay tax under this Act either at the information collection center at the time of entry of goods into the local area or at the Office of the Assistant Excise and Taxation Commissioner of the concerned district in the manner, as may be prescribed.

(3) Notwithstanding anything contained in this Act, any person, who brings or causes to be brought, any goods, into the local area for consumption, use or sale therein, through any other mode of transport, except road, shall make the payment of tax levied under this Act at the nearest information

collection center or at the office of Assistant Excise and Taxation Commissioner of the concerned district, in the manner, as may be prescribed.

10. The Board shall consist of the following, namely:-

(i) the Chief Minister of Punjab;	: Chairman	Constitution of the Board.
(ii) the Minister of Industries & Commerce, Punjab;	: Vice-Chairman	
(iii) the Minister of Excise and Taxation, Punjab,	: Member	
(iv) the Minister of Finance, Punjab;	: Member	
(v) the Minister of Local Government, Punjab;	: Member	
(vi) the Chief Secretary, Punjab;	: Member	
(vii) the Principal Secretary Industries and Commerce, Punjab	: Member	
(viii) the Principal Secretary Finance, Punjab; and	: Member	
(ix) the Director Industries and Commerce, Punjab.	: Member Secretary	

11. The functions of the Board shall be such, as may be prescribed.

Functions of the Board.

12. (1) The proceeds of the tax levied under this Act shall be utilized exclusively for the development or facilitating trade, commerce and industry in the State and for other welfare measures for the general public in the local area, which shall include the following:-

- (a) developing industrial estates, focal points and industrial clusters being developed by the State Government, providing financial aids, grants, incentives and subsidies to financial, industrial and commercial units;
- (b) creating infrastructure for supply of electricity and water to specified trades, marketing and other commercial complexes;
- (c) creating, development and maintenance of other infrastructure for the furtherance of specified trades;

Utilization of the proceeds of the tax.

- (d) providing financial aids, grants and subsidies for creating, developing and maintaining pollution free environment in the local area;
- (e) providing finance, aids, grants and subsidies to the local bodies and government agencies for the purposes specified in clauses (a), (b), (c) and (d);
- (f) providing amenities to the public in the local area;
- (g) implementing the social welfare schemes for public in the local area; and
- (h) any other purpose connected with the development of trade, commerce and industry or for facilities relating thereto which the State Government may specify by notification.

(2) The proceeds of the levy under this Act shall be transferred to the Consolidated Fund of the State and shall be utilized exclusively for the development of trade, commerce and industries of specified trade in the State.

Power to amend the schedule. 13. The State Government, after giving fifteen days notice of its intention so to do, may, by like notification add to or omit goods and thereupon, the Schedule shall be deemed to have been amended accordingly:

Provided that if, the State Government is satisfied that circumstances exist, which render it necessary to take immediate action, it may, for reasons to be recorded in writing, dispense with the condition of previous notice.

Power of the State Government to make rules. 14. (1) The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, the State Government may make such rules, as may provide for any other matter which has to be or may be prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be, after it is made, before the House of the State Legislature, while it is in session, for a total period of fourteen days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the successive sessions as aforesaid, the House agrees in making any modification in the rules, or the House agrees, that the rules should not be made, the rules shall thereafter have effect only in such modified form

or be of no effect, as the case may be. However, any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

15. No civil court shall have jurisdiction to entertain or decide any action relating to matters arising under this Act. Bar of jurisdiction.

16. (1) The Punjab Development of Trade, Commerce and Industries (Validation) Ordinance, 2015 (Punjab Ordinance No.9 of 2015), is hereby repealed. Repeal and savings.

(2) Notwithstanding such repeal, anything done or any action taken under the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under this Act.

STATEMENT OF OBJECT AND REASONS

The Punjab Development of Trade, Commerce and Industries (Validation) Act, 2016 is proposed with the view of developing and providing facilities for specific trades and amenities to the people of Punjab. There shall be levied and collected a non discriminatory/non-VAT able/non-adjustable compensatory tax on specified goods, the proceeds of which will be used for the development of trade, commerce and industries, benefit of the traders and general public through welfare measures.

Hence, this Bill.

MADAN MOHAN MITTAL,
Minister for Industries & Commerce,
Punjab.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Section 14 of "The Punjab Development of Trade, Commerce and Industries (Validation) Bill, 2016" empowers to the State Government to make rules to carry out the purpose of this Act. The powers sought are necessary for the proper implementation of the provisions of the Act and are normal in nature.

FINANCIAL MEMORANDUM

This is a legislation to generate revenue. The revenue likely to be generated will depend upon the number of items to be notified under this Act and the rates to be levied on them.

CHANDIGARH:
The 21st March, 2016

SHASHI LAKHANPAL MISHRA
SECRETARY.

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PUNJAB VIDHAN SABHA SECRETARIAT

NOTIFICATION

The 21st March, 2016

No. 26-PLA-2016/239.-The Punjab Package Deal Properties (Disposal) Amendment Bill, 2016 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No. 26-PLA-2016

THE PUNJAB PACKAGE DEAL PROPERTIES (DISPOSAL) AMENDMENT BILL, 2016

A

BILL

further to amend the Punjab Package Deal properties (Disposal) Act, 1976.

BE it enacted by the Legislature of the State of Punjab in the Sixty-seventh Year of the Republic of India as follows:-

1. (1) This Act may be called the Punjab Package Deal Properties (Disposal) Amendment Act, 2016. Short title and commencement.

Amendment in
section 4 of
Punjab Act 21 of
1976.

(2) It shall be deemed to have come into force on and with effect from the 1st day of September, 2007.

2. In the Punjab Package Deal Properties (Disposal) Act, 1976, in section 4, after sub-section (I}, the following sub-section shall be inserted, namely:-

"(1-A) Notwithstanding anything 'contained in any judgement, order or decree of any court or the provisions of any other law for the time being in force,-

- (i) any transfer made or purported' to be made under the provisions of clause (c) of sub-section (1) shall not be called in question, except in accordance with the procedure and remedies provided in this-Act in so far as it violates the provisions of this Act or rules or a general or a special order, made under clause (c) of sub-section (1);
- (ii) any general or special order issued, or to be issued, under clause (c) of sub-section (1) shall continue to be valid, and shall always be deemed to have been valid; and
- (iii) any transfer of land made under the provisions of clause (c) of sub-section (1), having been declared invalid by any court, shall continue to be valid irrespective of the court order." .

STATEMENT OF OBJECTS AND REASONS

The Package Deal Properties are defined in the Punjab Package Deal Properties (Disposal) Act, 1976. Government from time to time had decided to transfer these lands on the basis of possession, *vide* Notifications dated 18.12.1987, 13.11.1990 & 10.3.1994. The latest Notification was dated 26.9.2007.

2. The above said Notification dated 26.9.2007 was declared in-valid by the Hon'ble Supreme Court, in the case of Sh. Jagpal Singh- State of Punjab and others by orders dated 28.1.2011, even though the litigation pertained to Panchayat land. Review Petition was filed by the State before the Hon'ble Apex Court, was dismissed.

3. Under the policy dated 26.9.07, the land measuring 18315 Acres 07 Kanal 10 Marlas in 15 districts to 9234 persons was allotted to the eligible persons. If these allottees are evicted, this may lead to huge Socio-economic problems.

4. In public interest, justice and equity it is required that the State should mitigate the suffering which are likely to be faced on account of eviction on narrow legal technicalities. Under such circumstances, it is necessary that legislation may be brought to tide over the sufferings of these allottees.

5. In view of the aforesaid circumstances it has been proposed to amend Punjab Package Deal Properties (Disposal) Act, 1976 with effect from 1.09.2007, by inserting Section 4(1A) to protect the interest of the allottees and save them from eviction from the allotted land.

Hence this Bill.

BIKRAM SINGH MAJITHIA,
Minister for Revenue, Punjab.

CHANDIGARH:
The 21st March, 2016

SHASHI LAKHANPAL MISHRA
SECRETARY.